

1 HON. BARBARA J. ROTHSTEIN  
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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
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11 METROPOLITAN PROPERTY AND  
12 CASUALTY INSURANCE COMPANY,  
13 a Rhode Island corporation,  
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15 Plaintiff,

16 vs.  
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18 DAVID H. HERRERA and BECKY L.  
19 HERRERA, husband and wife, and the  
20 marital community comprised thereof,  
21

22 Defendants.  
23

24 Case No.: 2:19-cv-00250-BJR  
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26 **ORDER RE BRIEFING SCHEDULE  
27 ON MOTION AND CROSS MOTION  
28 RE COVERAGE**

29 WHEREAS counsel for all parties conferred pursuant to LCR 7(k) on July 16, 2019  
30 and contacted the Court regarding the potential efficiencies of cross motions on the topic of  
31 coverage, and whereas the attorneys conferred about a briefing schedule and agreed upon a  
32 proposal for the Court's consideration, it is now ordered that:

33 1. Defendant shall file its brief and supporting documents in opposition to the pending  
34 Motion for Summary Judgement – Coverage on or before August 16, 2019, and may include  
35 in the same brief a cross motion for summary judgement re coverage along with any  
36 supporting declarations;  
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2. Plaintiff's combined briefing in opposition and reply shall be due twenty-one (21) days after the filing of Defendant's opposition and motion;

3. Defendant's sur-reply will be due twenty-one (21) days after the filing of Plaintiff's combined briefing in opposition and reply;

4. The Court will inform the parties if oral argument is necessary; and

5. The Court will consider any issues pertaining to attorney fees and costs in a separate and subsequent motion following the Court's ruling on the coverage-related summary judgement motions.

## ORDER

It is so ordered.

DATED this 19<sup>th</sup> day of July, 2018.

Barbara J. Rothstein  
THE HONORABLE BARBARA J.  
ROTHSTEIN

Presented jointly by:

KSB LITIGATION, P.S.

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